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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,965	08/25/2005	Takuji Higashioji	TOR-05-1179	6051

35811 7590 05/12/2010
IP GROUP OF DLA PIPER LLP (US)
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PHILADELPHIA, PA 19103

EXAMINER

NELSON, MICHAEL B

ART UNIT	PAPER NUMBER
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1783

NOTIFICATION DATE	DELIVERY MODE
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05/12/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

pto.phil@dlapiper.com

DETAILED ACTION

Response to Arguments

1. Applicant argues unexpected results from using a liquid crystal polyester but the argument is not persuasive. First, applicant argues that despite the fact that LCP's have a higher density, using them as void initiating immiscible materials in drawn films results in a lower density. However, applicant has provided no data to show that every liquid crystal polyester has a higher density than all polypropylenes. Indeed applicant has provided no specific data with regard to either of the polymers being discussed in the tables and figures.
2. Second, applicant's main argument related to the density of the overall film which, as explained in the previous office action, is something that would have been adjusted by controlling the stretching procedure of the film since the stretching of the film controls the extent and the size of the voids and has a much greater effect on the final density of the film than the type of immiscible material used. In short, one having ordinary skill in the art would find it entirely expected that a film that was stretched in a way to incorporate more void volume into the film would have a lower density than another film with less voids, even if different density materials were used to initiate the voids. For applicant's showing to be persuasive, evidence would have to be introduced, through a declaration, that applying the same stretching conditions to identical films which would produce the same void volumes in the final films, and only changing the type of immiscible polymer (which is what applicant is claiming results in the unexpected density change) from polypropylene to LCP would unexpectedly result in a lower density. Applicant must show that the density decrease is attributed only to the change in immiscible material and not the change in the amount of voids in the film.

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Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL B. NELSON whose telephone number is (571) 270-3877. The examiner can normally be reached on Monday through Thursday 6AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Sample can be reached on (571) 272-1376. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patricia L. Nordmeyer/
Primary Examiner, Art Unit 1783

/MN/
05/07/10